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PTO/SB/21 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission
(excluding references)

6

Application Number

10/750,139

Filing Date

June 3, 2004

First Named Inventor

Jessica R. DesNoyer

Group Art Unit

1618

Examiner Name

James William Rogers

Attorney Docket No.

50623.326

ENCLOSURES (check all that apply)

☒ Deposit Account Authorization
07-1850

☒ Postage Paid Return Postcard

☐ Response to Office Action

☐ After Final

☐ Affidavits/declaration(s)

☐ Petition for Extension of Time (____
month) (in duplicate)

☐ Amendment Transmittal Letter (in
duplicate)

☒ Information Disclosure Statement
(in duplicate) with Form PTO-1449
(1 pg) citing 9 References

☐ Request for Continued Examination
(RCE) Transmittal

☐ Express Mail Label No.

☐ Response to Missing
Parts under 37 CFR
1.52 or 1.53

☐ Assignment Papers
(for an Application)

☐ Formal Drawing(s)

☐ Licensing-related Papers

☐ Petition

☐ Petition to Convert to a
Provisional Application

☐ Power of Attorney, Revocation
Change of Correspondence Address

☐ Terminal Disclaimer

☐ Request for Refund

☐ CD, Number of CD(s) _____

☐ After Allowance Communication to
Group

☐ Appeal Communication to Board of
Appeals and Interferences

☐ Appeal Communication to Group
(Appeal Notice, Brief, Reply Brief)

☐ Proprietary Information

☐ Submission of Formal Drawings (in
duplicate)

☒ Other Enclosure(s)
(please identify below):

6 References

1 Search Report

Remarks

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm
or
Individual name

Squire, Sanders & Dempsey L.L.P.
Zhaoyang Li, Ph.D., Reg. No. 46,872

Signature

Date

December 27, 2006

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date below

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Date

December 27, 2006

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FEE TRANSMITTAL for FY 2003

Effective 01/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 180.00

Complete if Known

Application Number	10/750,139
Filing Date	June 3, 2004
First Named Inventor	Jessica R. DesNoyer
Examiner Name	James William Rogers
Art Unit	1618
Attorney Docket No.	50623.326

METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None☒ Deposit Account:

Deposit Account Number 07-1850

Deposit Account Name Squire, Sanders & Dempsey L.L.P.

The Director is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments
☒ Charge any additional fee(s) during the pendency of this application
☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1001	770	2001	385	Utility filing fee	
1002	330	2002	165	Design filing fee	
1003	520	2003	260	Plant filing fee	
1004	750	2004	375	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	

SUBTOTAL (1)

(\$)

2. EXTRA CLAIM FEES

	Extra Claims	Fee from below	=	Fee Paid
Total Claims			=	
Independent Claims			=	
Multiple Dependent	0	X 0	=	

Large Entity		Small Entity		Fee Description
Fee Code	Fee (\$)	Fee Code	Fee (\$)	
1202	18	2202	9	Claims in excess of 20
1201	84	2201	42	Independent claims in excess of 3
1203	280	2203	140	Multiple dependent claim, if not paid
1204	84	2204	42	** Reissue independent claims over original patent
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2)

(\$) .00

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet.	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	420	2252	205	Extension for reply within second month	
1253	950	2253	465	Extension for reply within third month	
1254	1,480	2254	725	Extension for reply within fourth month	
1255	2,010	2255	985	Extension for reply within fifth month	
1401	330	2401	160	Notice of Appeal	
1402	330	2402	160	Filing a brief in support of an appeal	
1403	290	2403	140	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,300	2453	650	Petition to revive - unintentional	
1501	1,330	2501	650	Utility issue fee (or reissue)	
1502	470	2502	235	Design issue fee	
1503	630	2503	315	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17 (q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	180
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	750	2809	375	Filing a submission after final rejection (37 CFR § 1.129(a))	
1810	750	2810	375	For each additional invention to be examined (37 CFR § 1.129(b))	
1801	770	2801	385	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	

Other fee (specify) _____

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3)

(\$) 180.00

SUBMITTED BY

Complete (if applicable)

Name (Print/Type)	Zhaoyang Li, Ph.D.	Registration No. Attorney/Agent	46,872	Telephone	(415) 954-0200
Signature				Date	December 27, 2006

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Examiner: James William Rogers

Jessica R. DesNoyer et al.

Serial No. 10/750,139

Art Unit: 1618

Filed: June 3, 2004

Title: POLY(ESTER AMIDE) COATING COMPOSITION FOR
IMPLANTABLE DEVICES

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT
PURSUANT TO 37 C.F.R. §§1.97-1.98**

Dear Examiner:

In accordance with the duty of disclosure under 37 C.F.R. §1.56 and pursuant to 37 C.F.R. §§1.97-1.98, Applicants hereby notify the U.S. Patent and Trademark Office of the references listed on the attached Form PTO-1449. The references were cited in the International Search Report of a related foreign application, mailed December 12, 2006. A copy of the Search Report, copies of foreign patents and non patent publications are enclosed herein. One of the references, U.S. patent 6,503,538, is already of record.

The submission of the listed documents is not intended as an admission that any such document constitutes prior art against the claims of the present application. Applicants reserve the right to dispute the listed documents as prior art during examination. Furthermore, Applicants do not waive any right to take any action that would be appropriate to antedate or otherwise remove any listed document as a competent reference against the claims of the present application. The submission of this Supplemental Information Disclosure Statement is not to be construed as a representation that a search has been made or that no other material information may exist.

01/03/2007 SSITHIB1 00000094 071850 10750139

01 FC:1806 180.00 DA


The Examiner is requested to initial the enclosed Form PTO-1449 and return a copy thereof to the undersigned.

The present Supplemental Information Disclosure Statement is being submitted after receiving the first office action but before an action closing prosecution on the merits. Accordingly, please charge Deposit Account No. 07-1850 in the amount of **\$180.00** as specified in 37 CFR §1.97(c) and 37 CFR §1.17(p). The Commissioner is authorized to charge any deficiencies or other amounts due to Deposit Account No. **07-1850**.

Date: December 27, 2006

SQUIRE, SANDERS & DEMPSEY L.L.P.
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Telephone (415) 954-0200
Facsimile (415) 393-9887

Respectfully submitted,



Zhaoyang Li, Ph.D.
Attorney for Applicants
Reg. No. 46,872

FORM PTO-1449 (Modified) US Patent and Trademark Office		US DEPARTMENT OF COMMERCE		Docket No. <div style="text-align: center;">50623.326</div>		Application No. <div style="text-align: center;">10/750,139</div>			
INFORMATION DISCLOSURE CITATION in an Application (Use several sheets if necessary)				Applicant <div style="text-align: center;">Jessica R. DesNoyer et al</div>		Filing Date <div style="text-align: center;">June 3, 2004</div>		Group Art Unit <div style="text-align: center;">1618</div>	

OFFICE
 DEC 29 2006
 PATENT & TRADEMARK OFFICE

U.S. PATENT DOCUMENTS							
Examiner Initial	Ref. No.	Document Number	Date of Patent	Name	Class	Subclass	Filing Date if Appropriate
	A1	6,500,481	12/31/02	Vanderlaan et al.			
	A2						
	A3						

U.S. PATENT APPLICATION PUBLICATION DOCUMENTS							
Examiner Initial	Ref. No.	Document Number	Date of Publication	Name	Class	Subclass	Filing Date if Appropriate
	A4	2003/153685	8/14/03	Corley			
	A5						
	A6						
	A7						
	A8						

FOREIGN PATENT DOCUMENTS								
Examiner Initial	Ref. No.	Document Number	Date of Publication	Country	Class	Subclass	Abstract Translation	
							Yes	No
	B1	EP 1 298 172	4/2/03	EPO				
	B2	WO 2005/061024	7/7/05	WIPO				
	B3	WO 2005/066241	7/21/05	WIPO				
	B4	WO 2005/051453	6/9/05	WIPO				

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, etc.)	
C1	International search report for PCT/US2004/041726, mailed 12/12/06, 13 pgs.
C2	Averous et al., "Blends of Thermoplastic Starch and Polyesteramide: Processing and Properties", J. of Applied Polymer Science, vol. 76, pp. 1117-1128 (2000).
C3	Peng et al., "Role of polymers in improving the results of stenting in coronary arteries", Biomaterials, vol. 17, no. 7 (1996).
C4	

EXAMINER	DATE CONSIDERED
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EXAMINER: Initial if references considered, whether or not citation is in conformance with MPEP § 609; Draw line through citation if not in conformance and not considered.
 Include copy of this form with next communication to applicant.